

### **Remarks**

Claims 1-36 are pending. Claims 1, 10, 19, and 28 were previously amended. Claims 12-20 were previously presented. Claims 1, 10, 19, and 28 are presently amended. The examiner has rejected claims 10 and 18 under U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,102,780 to Watanabe. The examiner has also rejected claims 1, 2, 6-9, 19, 20, and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,993,679 to George in view of Watanabe. The examiner has rejected claims 3-5, 21-23, and 28-36 under 35 U.S.C. § 103(a) as being unpatentable over George in view of Watanabe further in view of U.S. Patent Publication No. 20010042230 to Williams et al. The examiner has also rejected claims 10, 12-14, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Watanabe. The examiner has rejected claims 10, 11, and 13-15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,944,791 to Humlicek in view of Watanabe. The examiner has rejected claims 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Williams in view of Watanabe, further in view of George.

#### **A. Remarks Regarding Claims 10 and 18 as Being Anticipated by Watanabe**

Claim 10 is an independent claim. Claim 18 depends from claim 10. Examiner has rejected the claims 10 and 18 as being anticipated by Watanabe. (Office Action at 2). Applicants disagree. The examiner cites to Watanabe. However, Watanabe discusses an image forming apparatus such as a copying machine whereas the present application is directed to media repair of a storage device. Watanabe, 1:16-27. Also, Watanabe does not disclose “detecting a signature” and “incrementing the counter information” as required by claim 10.

Watanabe merely discusses a counter indicative of the number of formed images. Watanabe, 1:28-32. Claim 10 requires detecting a signature if there has not been a read operation failure whereas Watanabe discusses each image forming apparatus comparing device code information for each polling signal. Watanabe, 54-59. Further, Watanabe does not disclose a signature. Watanabe discusses each image forming apparatus comparing the device code in the polling signal with its own device to determine if the image forming apparatus is subject to the polling. Watanabe, 13:54-64. A signature as required by claim 10 is not a device code. Thus, Watanabe does not disclose all the requirements of claims 10 and 18. Applicants respectfully request withdrawal of this rejection.

**B. Remarks Regarding Claims 1, 2, 6-9, 19, 20, and 24-27 as Being Unpatentable Over George in view of Watanabe**

Claims 1 and 19 are independent claims. Claims 2, and 6-9 dependent from claim 1. Claims 20 and 24-27 depend from claim 19. Examiner has rejected claims 1, 2, 6-9, 19, 20, and 24-27 as being unpatentable over George in view of Watanabe. George in view of Watanabe does not disclose all the requirements of claims 1, 2, 6-9, 19, 20, and 24-27. First, George does not disclose “locking a logical block address on the storage device if the read error is detected” as required by claims 1 and 19. George discusses whether to inhibit a read operation based on the non-read list field not based on the read operation returning a read error. George, 10: 37-39. George discusses the tracking and updating of a list in order to identify the bad portions of a storage medium. George, 36-41. Further, it would not have been obvious to one skilled in the art to combine George and Watanabe as Watanabe is directed to copying an image whereas George is directed to managing lists associated with bad portions of a storage medium. George,

2:28-3. For the reasons stated above with respect to claims 10 and 18, Watanabe does not disclose “the write operation [] performed with counter and date information” as required by these claims. As George in view of Watanabe does not disclose all the requirements of independent claims 1 and 19, it does not disclose all of the requirements for the above dependent claims. Applicants respectfully request withdrawal of these rejections.

**C. Remarks Regarding Claims 3-5, 21-23, and 28-36 Being Unpatentable Over George in view of Watanabe Further in View of Williams**

Claims 3-5 depend from claim 1. Claims 21-23 depend from claim 19. Independent claim 28 is a system claim. Claims 29-36 depend from claim 28. For the reasons stated above with respect to independent claims 1, 10, and 19, George in view of Watanabe does not disclose all the requirements of these claims. The same reasons stated above with respect to independent claims 1, 10, and 19 apply the system claims 28-36. Thus, George in view of Watanabe in further view of Williams does not disclose all the elements of claims 3-5, 21-23, 28-36. Further, Further, it would not have been obvious to one skilled in the art to combine George and Watanabe as Watanabe is directed to copying an image whereas George is directed to managing lists associated with bad portions of a storage medium. George, 2:28-3. Applicants respectfully request withdrawal of these rejections.

**D. Remarks Regarding Claims 10, 12-14, and 18 Being Unpatentable Over Williams in view of Watanabe**

For the reasons stated above with respect to claim 10, Williams in view of Watanabe does not disclose all the requirements of independent claim 10 and dependent claims

12-14 and 18. Further, the cited portions of Williams do not disclose “detecting a signature if the read operation does not return an error” as required by independent claim 10. Williams discusses repeating a reading and detecting steps “if it is determined (such as 708) that there are errors in the data sector.” Williams, [0056]. Williams does not disclose the detection of a signature but rather the appending of an error correction code. Williams, [0056]. Further, Further, it would not have been obvious to one skilled in the art to combine George and Watanabe as Watanabe is directed to copying an image whereas Williams is directed to “validation of disc drive physical sectors that are used for testing error correction coding engines.” Williams, [0002]. Thus, Applicants respectfully request withdrawal of these rejections.

#### **D. Remarks Regarding Claims 10, 11, and 13-15 Being Unpatentable Over Humlicek in View of Watanabe**

Claim 10 is an independent claim. Claims 11 and 13-15 depend from Claim. Humlicek in view of Watanabe does not disclose all the requirements of these claims. The cited portion of Humlicek discusses “[w]hen the calculated ECC is compared to the stored ECC for the block, a read failure will be generated since the calculated ECC will be different from the stored ECC.” This is not the same as “detecting a signature if the read operation does not return an error” as required by these claims. Also, for the reasons stated above with respect to claim 10, Watanabe does not teach “a write operation with counter and date information” as stated by the examiner. (Office Action, page 11.) Further, it would not have been obvious to one skilled in the art to combine Humlicek and Watanabe as Watanabe is directed to copying an image whereas Humlicek is directed to “handling unreadable blocks during a write operation on RAID devices.” Humlicek, 1:9-12.

**D. Remarks Regarding Claims 16 and 17 as Being Unpatentable Over Williams in View of Watanabe Further in View of George**

Claims 16 and 17 are dependent claims of claim 10. For the reasons stated above with respect to claim 10, Williams in view of Watanabe further in view of George does not disclose all the requirements of these claims. Further, for the reasons stated above, it would not have been obvious to one of ordinary skill in the art to combine William in view of Watanabe further in view of George. Thus, applicants respectfully request withdrawal of these rejections.

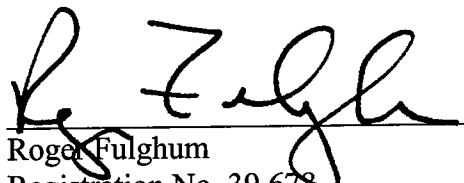
**E. No Waiver**

All of Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the Baba reference. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by examiner, Applicants do not acquiesce to examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art. The example distinctions discussed by Applicants are sufficient to overcome the anticipation rejections.

**Conclusion**

Applicants respectfully submit that rejections to pending claims 1-36 should be withdrawn and these claims should be passed to issuance.

Respectfully submitted,



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